



KENDAL M. SHEETS
AUTHORIZED REPRESENTATIVE
CPA NORTH AMERICA, LLC
225 REINEKERS LANE, SUITE 400
ALEXANDRIA, VA 22314

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OFFICE OF PETITIONS

In re Patent No. 6,893,726
Issued: May 17, 2005
Application No. 10/649,575
Filed: September 18, 2001
Title of Invention: **SUBSTRATE COATED
WITH SILICA-CONTAINING FILM WITH
LQW- DIELECTRIC CONSTANT**

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ON PETITION

This is a decision regarding your request for acceptance of a fee deficiency submission and loss of small entity status filed August 19, 2009 under 37 CFR 1.28.

On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 CFR 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. See DH Technology v. Synergystex International, Inc., 154 F.3d 1333, 47 USPQ2d 1865 (Fed. Cir. Sept. 1, 1998).

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. 1098 Off. Gaz. Pat. Office 502 (January 3, 1989). Therefore nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 in the amount of \$490.00 is hereby accepted and the petition is **GRANTED**. Status as a small entity has also been removed.

Inquiries related to this communication should be directed to the Office of Petitions Staff at (571) 272-3282.

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions